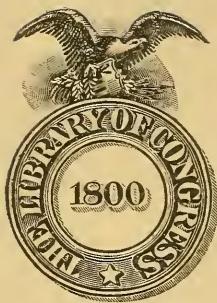


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COMPILATION OF LAWS

RELATING TO

COMMON SCHOOL SYSTEM

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AND

List of State Educational Institutions

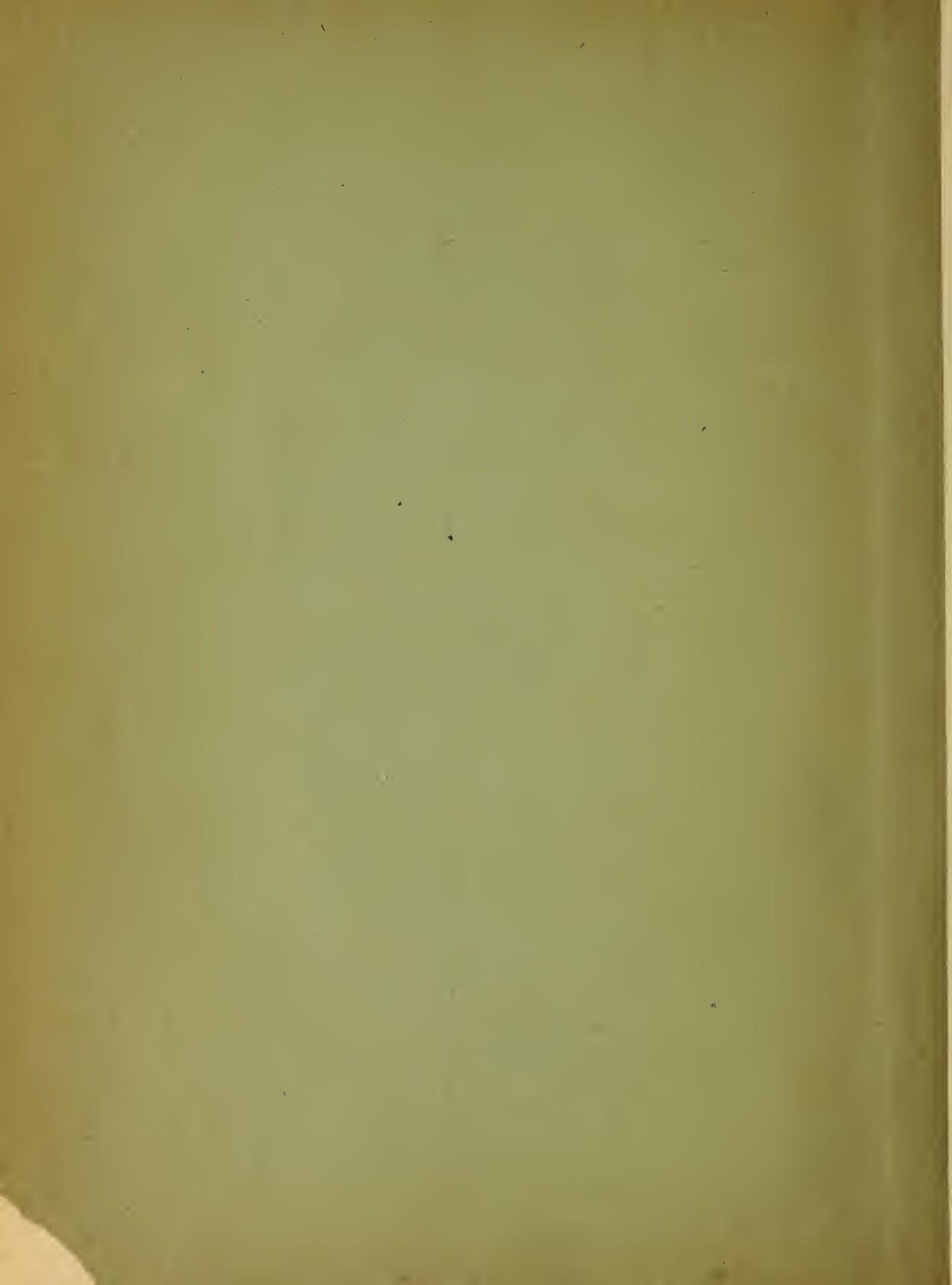
OF

GEORGIA.

1903.

ATLANTA, GA.

GEO. W. HARRISON, STATE PRINTER
(THE FRANKLIN PRINTING AND PUBLISHING CO.
February, 1903



COMPILED OF LAWS

RELATING TO

COMMON SCHOOL SYSTEM

AND

List of State Educational Institutions

Aug. 11, 1901

OF

GEORGIA.

Laws, statutes, etc.

1903.

ATLANTA, GA.

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TABLE OF TITLES.

- Part.....I.—State Board of Education.
- “ II.—State School Commissioner.
- “ III.—County Board of Education.
- “ IV.—County School Commissioner.
- “ V.—Financial.
- “ VI.—Long Term Schools—Teachers’ Reports.
- “ VII.—County Institutes.
- “ VIII.—Examination of Applicants for Teacher’s License.
- “ X.—Miscellaneous.
- “ XI.—General Laws.
- “ XII.—List of State Educational Institutions.

NOTE.—The whole of the school laws were “ amended, revised and consolidated ” by an Act approved in 1887, hence no reference is made in the marginal indices to Acts approved at any time prior to that year.

SCHOOL LAWS.

PART I.

STATE BOARD OF EDUCATION.

Acts of
1887, page
68.

Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That the Governor, the Attorney-General, Secretary of State, the Comptroller-General, and the State School Commissioner shall constitute the Georgia State Board of Education. Of this Board the Governor shall be *ex officio* President, and the State School Commissioner the chief executive officer. The Clerk of the State School Commissioner, as hereinafter provided for, shall be the Clerk of the State Board of Education. He shall be the custodian of its records, papers, and effects, and keep minutes of its proceedings, and said records, papers, and minutes shall be kept in the office of the Commissioner, and shall be open to inspection.

State
Board of
Education.

Officers of
the Board.

Clerk of
the Board.

Acts of
1887, page
68.

Sec. 2. That the said Board shall meet, upon the call of its President or a majority of its members, at the office of the State School Commissioner at the Capitol, or at such other place as may be designated in the call. A majority of the Board shall constitute a quorum for transacting business.

Meetings.

Acts of
1887, page
68.

Sec. 3. That said Board may take and hold, to it and its successors, in trust for the State, any grant or devise of lands, or any donation or bequest of money, or other personal property, made to it for educational purposes, and shall forthwith place in

Donations
for educa-
tional pur-
poses

Moneys
and titles to
land dona-
ted, kept
by State
Treasurer.

General
Assembly
may invest
donations.

Profits sub-
ject to use
for educa-
tional pur-
poses only.

Treasurer
responsible
upon his
bond.

Seal.

An advisory
body and
court for
appeals
from deci-
sions of S.
S. C.

Appeals.

the hands of the Treasurer of the State for safe-keeping all moneys and personal property so received, and titles to land, taking therefor a receipt from said officer. When it is evidently the intention of the donor or devisor that the *corpus* of moneys thus received is not to be used, the General Assembly may, from time to time, invest said moneys in the name of the State; *provided*, that all moneys obtained under this section, together with the profits accruing from their investment, shall be subject to use only for educational purposes. The Treasurer of the State shall pay to the order of the Board the income or principal thereof as said Board may, from time to time, require in pursuance of law, but no disposition of any devise, donation or bequest shall be made inconsistent with the conditions or tenor of the devise, donation or bequest. For the faithful keeping of all property or moneys so received by the Treasurer, he shall be responsible, upon his bond to the State, as for other funds received by him in his official capacity.

Sec. 4. That the State Board of Education shall procure a suitable seal, which shall be used for the authentication of the acts of the Board and the important acts of the State School Commissioner.

Sec. 5. That the State Board of Education shall constitute an advisory body, with whom the State School Commissioner shall have the right to consult when he is in doubt as to his official duty; and also a body in the nature of a court to which appeals shall be from the decision of the State School Commissioner upon any question touching the construction or administration of the school laws; and the decision of the State Board, when rendered, shall be final and conclusive upon the matter in issue. Appeals to the State Board must be made through the County Commissioner in writing, and must distinctly

Acts of
1887, page
69.

Acts of
1887, page
69.

set forth the question at law, as well as the facts, in the case upon which the appeal is taken. Upon any question involving the construction or administration of the school laws, the concurrence of a majority of the whole Board shall be necessary in order to give validity to the decision.

Board of Education is authorized to administer oaths (Sec. 29) ; selects time for operating schools (Sec. 34).

Duties of
Board of
Education
found in
other sec-
tions.

PART II.

STATE SCHOOL COMMISSIONER.

Sec. 6. There shall be a State School Commissioner elected by the people at the same time and manner as the Governor and State house officers are elected, whose term of office shall be two years and until his successor is elected and qualified. His office shall be at the seat of government and he shall be paid a salary not to exceed two thousand dollars (\$2,000) per annum. The General Assembly may substitute for the State School Commissioner such officer or officers as may be deemed necessary to perfect the system of public education.* He shall be charged with the administration of the school laws, and a general superintendence of the business relating to the common schools of the State. He shall prescribe suitable forms for the reports required of subordinate school officers and blanks for their guidance in transacting their official business, and shall, from time to time, prepare and transmit to them such instructions as he may deem necessary for the faithful and efficient execution of the school laws, and by whatsoever is thus communicated to them shall they be bound to govern themselves in the discharge of their official duty; *provided, nevertheless,* there shall always be an appeal from the State School Commissioner to the State Board of Education as hereinbefore enacted.

Sec. 7. That it shall be the duty of the State School Commissioner to visit, as often as possible, the sev-

Elected.

Charged
with admin-
istration of
the school
laws.Prescribes
forms.Instruc-
tions.Subordi-
nate officers
governed in
the dis-
charge of
official du-
ties by in-
structions
of State
School
Commis-
sioner.Visits
counties.Acts of
1894, page
34.Acts of
1887, page
69.Acts of
1887, page
69.

*The above, which is an amendment to the Constitution, was ratified at an election held in 1896. :

erall counties of the State for the purpose of examining into the administration of the school law in said counties, of counseling with school officers, of delivering popular addresses, of inspecting school operations, and of doing such other acts as he may deem subservient to the interests of popular education.

Examines into administration of school law.
Delivers popular addresses.
Inspects operation of schools.

Acts of
1887, page
70.

Sec. 8. The State School Commissioner shall see that the proper actions provided by law are brought against all officers and agents of the system, who are liable to the same, for misapplication of the school fund or other cause.

State School Commis- sioner to institute suits.

Acts of
1887, page

Sec. 9. That the State School Commissioner shall make an annual report to the General Assembly, in which he shall present a statement of the condition and amount of all funds and property appropriated to the purpose of public education; a statement of the number of common and public schools, of the various grades, in the State; the number of scholars attending such schools; their sex, color, and the branches taught; a statement of the average cost per scholar of instruction under the common school system in each county; a statement of the plans for the management, extension, and improvement of the common schools; a statement of the number of children of school age in the State, with as much accuracy as the same can be ascertained; also, a statement of the number of private schools and colleges of the different kinds in the State; the number of pupils in such schools or colleges, their sex, the branches taught, the average cost of tuition per scholar in said schools and colleges.

Report of State School Commis- sioner. Contents.

Shall be made annually.

Amended
Acts of
1892, page
85.

Nature of report.

Sec. 10. That the State School Commissioner shall be entitled to receive for his services the sum of two thousand dollars annually in quarterly installments. All his necessary traveling expenses incurred in the performance of his official duties, and

Acts of
1887 page
71.

Salary and expenses.

Expense of office paid by State.

Clerk of
State
School
Commiss-
sioner.

Paid out of
State
school
fund.

Itemized
account to
be kept.

Oath.

Duties of
State
School
Commiss-
sioner
found in
other
sections.

all postage and other expenses absolutely necessary arising in his office, shall be paid by the State. He shall also be entitled to employ one clerk to aid him in his official duties. His clerk shall receive an annual salary, not exceeding twelve hundred dollars, to be paid quarterly. The salaries and other

expenses named in this section shall be paid out of the State school fund on executive warrant. It shall also be the duty of said Commissioner to keep an itemized account of all expenses connected with his department, which account shall be audited by the State Board of Education.

Sec. 11. That before entering upon the discharge of his official duties, the said Commissioner shall take and subscribe to the same oath required of other officers of this State.

*Acts of
1887, page
71.*

State School Commissioner is member of State Board of Education (Sec. 1); uses seal (Sec. 4).

PART III.

COUNTY BOARD OF EDUCATION.

Sec. 12. That hereafter each and every county in the State shall compose one school district, and shall be confided to the control and management of a County Board of Education.

Sec. 13. That the grand jury of each county (except those counties which are under a local system) in this State shall from time to time select from the citizens of their respective counties five freeholders, who shall constitute the County Board of Education. Said members shall be elected for the term of four years, and shall hold their offices until their successors shall be elected and qualified; *provided, however,* that no publisher of school-books, nor any agent for such publisher, nor any person who shall be pecuniarily interested in the sale of school-books, shall be eligible for election as member of any Board of Education or as County School Commissioner of any county in this State; *provided further,* That whenever there is in a portion of any county a local school system having a Board of Education of its own, and receiving its *pro rata* of the public school fund directly from the State School Commissioner, and having no dealings whatever with the County Board of Education, then the members of the County Board of Education of such county shall be selected from that portion of the county not embraced within the territory covered by such local system.

Sec. 14. That the members of the Board of Education in each county shall each be paid a *per diem* compensation.

Acts of
1887, page
71.

Acts of
1893, page
62.

Acts of
1897, page
23.

Acts of
1895, page
57.

Persons interested in the sale of school books ineligible.

Members not selected from territory having no dealing with County Board of Education.

not to exceed two dollars for each day's actual service out of the school fund apportioned to the county; and their accounts for service shall be submitted for approval to the Ordinary or County School Commissioner; and they shall not receive any other compensation, such as exemption from road and jury duty.

Clerk of
Superior
Court cer-
tifies to
election.

Sec. 15. That whenever members of a County Board are elected or appointed in pursuance of the provisions of the above section, it shall be the duty of the Clerk of the Superior Court to forward to the State School Commissioner a certified statement of the facts, under the seal of the court, signed officially by him, as evidence upon which to issue commissions, and the corresponding evidence of the election of a County Commissioner shall be the certified statement of the Secretary *pro tem.* of the meeting of the Board at which the election was held. Any member or members of the County Board of Education shall be removable by the judges of the Superior Court of the county, on the address of two-thirds of the grand jury, for inefficiency, incapacity, general neglect of duty, or malfeasance or corruption in office; that the Judge of the superior Courts of this State shall have the power to fill vacancies by appointment in the County Boards of Education for the counties composing their respective judicial circuits, until the next session of the grand juries in and for said counties, when said vacancies shall be filled by said grand juries.

Vacancies
filled by
Judges of
Superior
Court.

President
of board.

Secretary.

Acts of
1887, page
72.

Sec. 16. That the Board of Education shall elect one of their number President, who shall serve as such during the term for which he was chosen a member of the Board. The County School Commissioner shall be *ex officio* Secretary of the Board. A majority of the Board shall constitute a quorum for the transaction of business. It shall be the duty of said Secretary to be present at the meetings of the

Board, and to record in a book, to be provided for the purpose, all their official proceedings, which Minutes. shall be a public record open to the inspection of any person interested therein, and all such proceedings, Public rec. when so recorded, shall be signed by the President ^{ord open to} inspection. and countersigned by the Secretary.

Acts of
1887,
page 72.

Amended
acts of 1893,
page 62.

Sec. 17. That it shall be the duty of the County Sessions. Board of Education to hold regular sessions on the first Tuesday of the month succeeding their election, and each three months thereafter, at the court-house of the county for the transaction of business pertaining to the public schools, with power to adjourn from time time, and in the case of the absence of the President or Secretary, they may appoint one of their own number to serve temporarily.

Acts of
1889,
page 124

Amended
acts of 1889,
page 124.

Sec. 18. That the County Boards shall lay off their counties into sub-school districts, in each of which Sub-school districts. sub-school districts they shall establish one common school each for the white and colored races where the population of the two races is sufficient, which schools shall be as near the center of the sub-school districts as can conveniently be arranged, reference being had to any schoolhouse already erected, and population of said sub-school district, and to the location of white and colored schools with regard to contiguity; *provided, however,* that in such sub-school districts where more than one school is demanded, then they may establish one or more additional schools in such sub-school district; *and provided also,* that whenever it becomes proper to lay off new sub-school districts, or alter the boundaries of those Boundaries already laid off, the said Board shall have full power to make such changes as the public necessities may require. The said County Boards are also empow- Board employs ered to employ teachers in the manner hereinafter teachers. pointed out, to serve in the schools under their juris-

**Contracts
in writing.**

diction, and the contracts for said service shall be in writing, signed in duplicate by the teacher on his own behalf and by the County School Commissioner on behalf of the Board. Acts 1889,
page 122.

**School
trustees.**

That the County Boards of Education, whenever, in their opinion, the good of the schools in their respective counties demand it, may, at their discretion, at their first meeting after the passage of this law, appoint three intelligent, upright citizens of each sub-district of their respective counties to act as school trustees for their sub-districts, naming one of the appointees to serve for one year, and one for two, and one for three years; and as vacancies occur by the expiration of the terms of incumbents, the Boards shall fill those vacancies with appointees whose term of service shall be three years; and should vacancies occur by death, resignation, or otherwise, the Boards of Education shall fill these vacancies for the unexpired term; and whenever School Trustees are chosen as herein provided, the fact shall be recorded in the minutes of the County Boards, and the appointees

**Certificates
of appoint-
ment from
County
School
Commis-
sioner.**

shall receive certificates of their appointment from the County School Commissioner, and these certificates shall be their sufficient warrant for entering upon and performing the duties of their office. That it shall be the duty of the School Trustees herein provided for to supervise the school operations of

**Duties of
school
trustees.**

their sub-districts, to visit the schools, and to make such recommendations to the County Boards, in relation to the school interests of their sub-districts, as may seem to them best, and especially in the matter of choosing teachers for their sub-districts. It shall be their right to recommend applicants, and it shall be the duty of the County Boards to choose as teachers the persons so recommended; *provided*, they shall be persons duly qualified and eligible according to the provisions of existing law; and furthermore, it

**School
trustees
recom-
mend ap-
plicants for
teachers'
places.**

shall be the duty of the School Trustees, in recommending persons as teachers, to recommend those persons who, in their opinion, are the choice of the communities to be served ; and it shall, furthermore, be the duty of the School Trustees to make a written report, once a year, to the County Boards in relation to the matters committed to their supervision, or oftener if required by the County Boards of Education.

Trustees to
make an
annual
written re-
port to
County
Boards.

Sec. 19. That the County Boards of Education shall have power to purchase, lease, or rent school sites ; to build, repair, or rent schoolhouses ; to purchase maps, globes and school furniture, and to make all other arrangements of this kind necessary to the efficient operation of the schools under their care ; and the said Boards shall also be, and are hereby, invested with the title, care, and custody of all schoolhouses, sites, school libraries, apparatus, or other property belonging to the sub-districts, as now defined, or as may hereafter be defined, in their several counties, with all power to control the same, in such manner as they think will best subserve the interests of common schools ; and when, in the opinion of the Board, any schoolhouse site has become unnecessary or inconvenient, they may sell and convey the same in the name of the County Board of Education, such conveyance to be executed by the President or Secretary of said Board according to the order of the Board. They shall have power to receive any gift, grant, donation, or devise made for the use of common schools within their respective counties ; and all conveyances of real estate which may be made to said Board shall vest the property in said Board of Education and their successors in office. It shall also be the duty of said Board of Education to make arrangements for the instruction

School
property.

Acts
1887,
page 73.

Sale.

Donations.

Property
donated to
any county
to be vested
in County
Board of
Education.

Races taught separately. of the children of the white and colored races in separate schools. They shall, as far as practicable, provide the same facilities for both races in respect to attainments and abilities of teachers and length of term-time; but the children of the white and colored races shall not be taught together in any common or public school of this State; and in respect to the

Building of school houses. building of the schoolhouses mentioned in this section, the said Board of Education may provide for the same, either by labor on the part of the citizens of sub-districts to be served, or by a tax on their property, as may be hereinafter provided.

The several County Boards of Education of this State shall have full power and authority to define and regulate the length of the public school terms of their respective counties.

Sec. 20. That the county Board of Education shall constitute a tribunal for hearing and determining any matter of local controversy in reference to the construction or administration of the school law, with power to summon witnesses and take testimony if necessary; and when they have made a decision, said decision shall be binding upon the parties to the controversy; *provided*, that either of the parties shall have the right to appeal to the State School Commissioner, and said appeal shall be made through the County Commissioner in writing, and shall distinctly set forth the question in dispute, the decision of the County Board and the testimony, as agreed upon by the parties to the controversy, or if they fail to agree, upon the testimony as reported by the Commissioner.

Text books. Sec. 21. That the County Board of Education shall prescribe, from time to time, what text-books and books of reference shall be used in the common schools of the county; *provided*, that the Bible shall

County Board a judicial tribunal.

Appeal to State School Commissioner.

Acts of 1898, page 71.

Acts of 1887, page 74.

Acts of 1887, page 74.

not be excluded from the common or public schools of the State; *and provided further*, that when such text-books are prescribed, they shall not be changed for five years thereafter, except by a three-fourths vote of all the Board; *and provided further*, that the County Boards shall not be permitted to introduce into the schools any text or miscellaneous book of a sectarian or sectional character. No teacher shall receive pay for any pupil who is allowed to use any other than the prescribed text-books.

Bible can-
not be ex-
cluded.
Length of
contract—
how
changed.
Books of
a sectarian
or sectional
character
prohibited.

(For Act of 1897 relating to contracts for school books see page 48.)

PART IV.

COUNTY SCHOOL COMMISSIONER.

- County School Commissioner.** Sec. 22. That the County Boards of Education ^{Acts of 1887, page 74.} shall, from the citizens of their counties, select a County Commissioner of Education, who shall be *ex officio* county superintendent of the common schools, and who shall hold his office for the term of four years. Before election the applicants for positions of County School Commissioner shall be examined by the President of the County Board of Education, or by some one appointed by him or the Board for that purpose, upon written or printed questions, which shall be furnished to the Board by the State School Commissioner—said examination to be upon the subjects taught in the common schools, upon the science and theory of common school teaching and government, and upon such other subjects as the State School Commissioner may deem proper. The said County Board of Education shall then elect such applicant County School Commissioner, who has stood satisfactory examination, taking into consideration the moral character, business qualifications, and general availability of each applicant. The County School Commissioner so elected shall be required to give bond with good security payable to the County Board of Education, conditioned upon the faithful performance of his duty under the law, the amount and sufficiency of the security to be judged by the County Board of Education.
- Examination.** **Questions furnished by State School Commissioner.** Sec. 23. Before entering upon the discharge of his official duties, the said Commissioner shall take and subscribe to the same oath required of the other officers of this State. ^{Acts of 1887, page 75.}
- Election.**
- Bond.**
- Oath.**

Acts of
1887,
page 75.

Sec. 24. The County School Commissioner may be removed from office before the expiration of his term by a majority vote of the Board of Education for inefficiency, incapacity, neglect of duty, or malfeasance or corruption in office; *provided*, that any Commissioner so removed shall have the right of appeal from the action of the County Board to the State School Commissioner, and from the State School Commissioner to the State Board of Education.

Acts of
1887,
page 75.

Sec. 25. Should there be a vacancy in the office of County School Commissioner, by resignation or otherwise, an examination and election for the remainder of the vacant term shall be held in the same manner, and by the same authorities, as for that of a full term.

Acts of
1887,
page 77.

Sec. 26. That the County Commissioner shall constitute the medium of communication between the State School Commissioner and the subordinate school officers; that he shall visit each school in his county at least once during the school term, or twice if practicable, and oftener if ordered by the Board, and without notice to the teachers, for the purpose of instructing its management and the modes of instruction, and of giving such advice and making such suggestions as shall tend to elevate it in character and efficiency. He shall be the agent of the County Board in procuring such school furniture, apparatus, and educational requisites as they may order to be purchased, and shall see that none but the prescribed text-books are used by the pupils; that it shall be his duty to audit all accounts of teachers and others before an application is made to the County Board for an order for payment, and that the said County Commissioner shall procure a book, in which he shall keep a record of his official acts, which, together with all the books, papers and

Removal
from office.

For what
cause.

Appeal.

How filled.

Duties of
Co. School
Commissioner.

Visits
schools.

Agent of
County
Board in
procuring
furniture,
apparatus,
etc.

Audits
accounts.

Keeps
records.

property appertaining to his office, he shall turn over, on his resignation, or at the expiration of his official term, to his successor.

**Seal on
teachers'
license.**

It shall be the duty of every County School Commissioner in this State to place upon all teachers' license issued by them the seal of the Board of Education of the county for which they are commissioner. Acts of 1897,
page 77.

**Compen-
sation of
County
School
Commiss-
ioner.**

Sec. 27. That the said County Commissioner shall receive such compensation as the County Board may allow him, not to exceed three dollars per day, to be determined by the County Board of Education, for each day actually employed in the discharge of his official duties, the same to be paid out of the educational fund furnished to the county. His claim for services shall be presented in the form of an account against the County Board of Education, and shall be verified by affidavit, to the effect that the said account is just and true; that the service therein named was honestly and faithfully rendered, and that the sum therein claimed is rightfully due and remains unpaid. When said account shall have been duly audited and approved by the County Board, the said commissioner shall retain his pay out of the revenue aforesaid; *provided*, that the County Board of Education shall determine the number of days in each year in which said County Commissioner may labor in the performance of the duties required of him.

How paid.

**Office in
court-
house if
there is
sufficient
room.**

Sec. 28. That it shall be the duty of the county authorities of the different counties of this State to furnish the County School Commissioners thereof an office in the court-house thereof; *provided*, there is sufficient room in said court-house after furnishing the county officers of such county with offices as now provided by law. Acts of 1893,
page 63.

Acts of
1887,
page 81.

Sec. 29. That County School Commissioners and members of the County Boards of Education shall be empowered and authorized to administer such oaths as may be necessary in transacting school business, or in conducting investigations before the County Boards when sitting as judicial tribunals for determining controversies arising under school laws.

School
officers au-
thorized to
administer
oaths.

Acts of
1887,
page 81.

Sec. 30. That it shall be the duty of the County School Commissioner of each of the counties of this State to make a report of the school operations of the preceding year to the grand jury, at the spring term of the court, and to place his books before them for examination; and in making up the general presents, it shall be the duty of the jury to take proper notice of the matters thus brought to their attention.

Report and
books of
County
School
Commis-
sioner
submitted
to grand
jury.

Duties of
County
School
Commis-
sioner
found in
other sec-
tions.

County School Commissioner is secretary of County Board of Education (Sec. 16); issues certificates to School Trustees (Sec. 18); forwards appeals, in writing, from decision of County Board of Education to State School Commissioner (Sec. 20); places seal in all teachers' licenses issued by him (Sec. 26); makes monthly statements to State School Commissioner (Sec. 33); operates institutes (Sec. 42); examines applicants for license to teach (Sec. 43.)

County School Commissioner—Election of is certified by secretary of meeting (Sec. 15.)

PART V.

FINANCIAL.

School fund paid directly into Treasury and used only for school purposes.

Apportionment of school fund.

Proportion of each county to be placed to its credit by State Treasurer monthly.

How proportion to be determined.

Items chargeable to general fund to be first deducted.

Monthly statements by County School Commissioners of sums due and unpaid by County Board.

Sec. 31. Be it enacted by the General Assembly ^{Acts of 1887,} of Georgia, and it is hereby enacted by authority of ^{page 80.} the same, That beginning with the taxes for the year 1895, all moneys belonging to the common school ^{Amended Acts of 1888,} fund of the State, including poll taxes and specific ^{page 45.} taxes, shall be paid direct into the State Treasury in like manner as other State taxes are paid, and said common school fund shall be used for no other than ^{Amended Acts of 1894,} common school purposes, as provided by law.

Sec. 32. That from and after the first day of January, 1899, or as soon thereafter as practicable, the Treasurer of the State shall place to the credit of each county in the State, on his books, its proportionate part of the common school fund in the treasury on the first day of each month, such proportionate part to be determined by the State School Commissioner, the Comptroller-General, and the Treasurer, and to be based upon the proportion which the school population in each county bears to the school population in the State as shown by the last school census; *provided, however,* that the salaries of the State School Commissioner and his clerk or clerks, and the expenses of his office, and any other items properly chargeable under the law to the general school fund, shall be deducted out of the said fund before making the aforesaid apportionment to the counties.

Sec. 33. That the County School Commissioner of each county shall, under the approval of the County Board of Education, transmit to the State School Commissioner an itemized statement of the various sums due and unpaid by the County Board of Educa- ^{Acts of 1887,} ^{page 79.} ^{Amended Acts of 1898,} ^{page 70.}

Amended
Acts of
1893,
page 58.

ation on said several dates mentioned in section 32, whether the same be for teachers' salaries, for pay of the County School Commissioner, or for any other item of expense properly chargeable under the law of the County Board of Education; and when said itemized statements have been approved by the State School Commissioner and presented to the Governor, the Governor shall issue his warrants upon the Treasurer for all the funds standing to the credit of each of the several counties upon the books of the Treasurer, or for such part thereof as may be needed to liquidate the indebtedness of the County Board of Education of such county, as shown by each itemized statement aforesaid. And the State Treasurer shall, upon the presentation of the warrants aforesaid, draw his checks for the amounts of said warrants in favor of the County School Commissioners of the several counties, and the State School Commissioner shall immediately transmit said checks to the several County School Commissioners, who shall promptly disburse the money so received in payment of the sums set out in the itemized statement aforesaid; and if the money is not sufficient to pay said sums in full, then it shall be prorated among the various items; *provided*, that the expenses of administration for each month shall first be paid in full, and the County Boards of Education are hereby authorized to make their contracts in such manner that the amounts payable to teachers for services rendered shall become due and payable monthly.

When
statement
approved
and pre-
sented,
warrant to
be drawn.

Payment
of money
on such
warrants.

Disburse-
ment by
County
School
commis-
sioners.

If money
not suffi-
cient to pay
indebt-
edness.

Acts of
1890,
page 70.

Acts of
1887,
page 78.

Sec. 34. That beginning with January 1st, 1895, and continuing thereafter, the school year shall be coincident with the calendar year, to wit: from January 1st to December 31st thereafter, and the State School Commissioner, State Treasurer, and Comptroller-General shall, on or before the first Tuesday in December each year, beginning in 1894,

When
money due
under con-
tracts with
teachers.

School
year
coincident
with calen-
dar year.

Estimate
of entire
school
fund for
ensuing
year.

County
School
Commissi-
oners to
be notified
of their
proportion

County
Boards to
arrange for
operation
of schools.

Time of
operating
schools left
to County
Boards.

Schools
under
special or
local laws
not
affected.

Local
School
laws.

Warrants
and checks
to be issued
without
requiring
itemized
statements

or as soon thereafter as practicable, make an estimate of the entire common school fund of the State for the next succeeding school year, and shall at once communicate in writing to the County School Commissioner of each county the amount of money that will be payable to his county; and on the first Tuesday in January in each year, or as soon thereafter as practicable, each County Board of Education shall meet and make the necessary arrangements for placing the schools in operation for the next school year, and shall have full authority in their discretion either to fix salaries for the payment of teachers, or to pay them according to the enrollment or attendance; *provided*, that nothing in this Act shall be construed to affect the right of the respective counties of the State to select the time of operating their schools, which shall be left entirely to the County Boards of Education, nor shall it affect or change the time of operating their schools under any special or local laws in any county in this State; *provided further*, it shall not affect the monthly payments of teachers as by this Act directed.

Sec. 35. That in those counties having local school laws where the schools are sustained by local taxation for a period of five months or more, the State School Commissioner shall, on the first day of each month, or as soon thereafter as practicable, notify the Governor of the amount of funds standing to the credit of each of such counties on the books of the Terasurer on said dates, and thereupon the Governor shall issue his warrants for said sums and the Treasurer shall draw his checks for said sums without requiring the itemized statements as provided in section 33; and the State School Commissioner shall immediately transmit said checks to the officer under the local school system authorized to receive its funds, and

Amended
Acts of
1893,
page 59.

Amended
Acts of
1894,
page 59.

Amended
Acts of
1894,
page 61.

Acts of
1893,
page 60.

Amended
Acts of
1894
page 62.

the State School Commissioner shall, in like manner, pay over to the proper officer under the school board of any town or city having a school system sustained by local taxation for a period of five months or more, and to which he is now authorized by law to make direct apportionments, such proportion of the entire county fund as shown on the books of the Treasurer as the school population of the town or city bears to the population of the county, as shown by the last school census; *provided*, that all children of school age resident in said county, and attending the public schools of such town or city, shall be counted in the school population of such town or city and be entitled to have their share of such county fund paid over to the proper officer of the school board of such town or city.

*Estimate of
school
population.*

Acts of
1887, page
70.

Amended
Acts of
1894, page
62.

Sec. 36. That the school fund for each calendar year shall be a fixed and specified sum, and in order *To whom paid.* to carry out this provision the State School Commissioner, the Comptroller-General, and the Treasurer shall, on the first Tuesday of December of each year, beginning with 1894, or as soon thereafter as practicable, make an estimate of what the school fund for the ensuing year shall be from the specific taxes, direct appropriations, and from any other sources of supply which now belong to the school fund or may hereafter belong to the school fund, and said fund, when so estimated, shall be available and payable at the time specified in this Act; *If specific taxes fall short.* *provided*, that in the event that the said specific taxes shall fall short of said estimate, then the balance necessary to meet the provisions of said estimate is hereby authorized to be paid from any fund in the treasury not otherwise appropriated.

*School
fund for
each year
to be a
fixed sum.*

*Estimate
of school
fund for
ensuing
year.*

*If specific
taxes fall
short.*

*Balance
may be
paid from
any fund
not other-
wise ap-
propriated.*

Basis of
estimate of
fund for
ensuing
year.

Sec. 37. That when the State School Commis- <sup>Acts of
1887, page
82.</sup>
sioner, the Comptroller-General, and the Treasurer shall meet on the first Tuesday in December, or as soon thereafter as practicable, as provided in this Act, to make the estimate of the school fund provided for in section 34 of this Act, they shall base said estimate upon the amount of school fund coming into the treasury for the year preceding the year for which said estimate is made.

Sources
of school
fund.

Sec. 38. That for the support and maintenance of the common schools of this State the poll tax, special tax on shows and exhibitions, all taxes <sup>Acts of
1887, page
79.</sup> on the sale of spirituous and malt liquors, dividends upon the stock of the State in the Bank of the State of Georgia, Bank of Augusta, Georgia Railroad and Banking Company, and such other means or moneys as now belong by law to the Common School Fund, one-half of the proceeds of the rental of the Western & Atlantic Railroad, or one-half of the annual net earnings of said railroad as ascertained by subtracting the annual cost of running and keeping up the road from the annual gross receipts under and change of policy which the State may adopt hereafter in reference to said railroad; all endowments, devises, gifts, and bequest made, or hereafter to be made, to the State or State Board of Education; the proceeds of any commutation tax for military service; all taxes which may be assessed on such domestic animals as from their nature and habits are destructive to other property; all money received by the Agricultural Department of this State for the inspection of oils and fertilizers in excess of what may be necessary to defray the expenses of said Agricultural Department; the net amount arising from the hire of convicts of this State, after all expenses that are now or may hereafter be made a charge upon said fund shall have been de-

ducted from the gross amount thereof; *any educational fund now belonging to the State (except the endowment of and debt due to the University of Georgia), and such other sums of money as the Legislature shall raise by taxation or otherwise from time to time for educational purposes, are hereby declared to be a common school fund; and when said common school fund shall be received and receipted for, from whatever source received, it shall be the duty of the officer authorized by law to receive such fund to keep the same separate and distinct from other funds, and said fund shall be used for educational purposes and none other, and shall not be invested in bonds of this State, or in other stock, except when investment is necessary to carry out the conditions of an endowment, devise, gift, or bequest, and when taxes are paid into the treasury of the State the Comptroller-General shall in no case receipt a Tax-Collector for the same until that part of the tax so paid in, which was raised for school purposes, is separated in amount from the gross amounts paid in.

School tax
must be
separated
from other
taxes.

* Money arising from the lease of oyster lands was made a part of the School Fund in 1889.

ADDITIONAL FUNDS FOR PUBLIC SCHOOLS.

Illegal granting of diplomas by medical colleges—Fine goes to State treasury for educational funds. (§486 Code, Vol. III.)

Selling or offering for sale rejected illuminating oil or fluids—Fine goes to public school fund of county in which prosecution is made. (§607 Code, Vol. III.)

Wrongful use of branded vessels for illuminating oil or fluids—Fine goes to public school fund of county in which prosecution is made. (§608 Code, Vol. III.)

Cruelty to animals—One-half of fine goes to public school fund of county in which prosecution is made. (§704 Code, Vol. III.)

Gaming contracts—Money recovered after six months goes to public school fund of county in which suit is entered. (§3671 Code, Vol. II.)

Property not returned but assessed—Overplus above amount due and costs goes to educational fund, subject to claim of true owner within four years. (§908 Code, Vol. I)

PART VI.

LONG TERM SCHOOLS—TEACHERS' REPORTS.

- Long term schools.** Sec. 39. That whenever the Board of Education of any county within the State shall have entered into a contract with a teacher to teach a common school in any sub-district within its jurisdiction in accordance with this Act, it shall be lawful for said teacher to enter into a supplemental contract with the patrons of said school to teach a private elementary school in connection with said common school, and to embrace the period allowed by law for the said public term; *provided*, that the contracting with teachers under the provisions of this Act shall be left to the discretion of the several County Boards of Education. Acts of 1894,
page 62.
- Supplemental contracts.**
- Their establishment left to the discretion of Boards.**
- Contract with patrons to be approved by Board.** Sec. 40. That upon said private supplemental contract being examined and approved by the Board of Education of the county in which said school is located, it shall be the duty of said teacher to enter, as pupils in said private school, all scholars of common school age (regard being had to separate schools as now required by law) who may enter said school at any time within the term or scholastic year of said private school. It shall be the duty of said teacher to keep an accurate account of the number of such pupils and the number of days actually attended by each pupil, and when said private schools shall have closed, said teacher may make out an account against the County Board of Education for the full number of days each of said pupils may have attended said schools, not to exceed the whole number of days now or hereafter. Acts of 1887,
page 82.
- Pupils may attend during the private part of the term.**
- Teacher's account, how made out.**

to be prescribed by law; *provided*, that nothing in this Act shall be so construed as to prevent any common school scholar from entering said school as pupil, if the parent or guardian of said pupil shall elect to enter him or her for the period of the public term, and upon the merits of the common school fund only. That no teacher shall be contracted with under the provisions of this Act until he or she has been duly licensed as a common school teacher; that every teacher contracted with under provisions of this Act shall be required to make the same reports and returns of the County School Commissioners as are now required of teachers of common schools in this State, and until said private schools shall have been taught according to contract, and said reports and returns are so made, it shall not be lawful for the Board of Education to pay him or her for such services as such teacher.

Acts of 1887, Sec. 41. That it shall be the duty of the teachers Reports of
teachers. to make and file with the County Commissioners at the expiration of each term of school, a full and complete report of the whole number of scholars admitted to the school during said term, distinguishing between males and females and colored and white, together with the names thereof and the entire and the average attendance, the branches taught, the number of pupils engaged in the study of each of the said branches, and such other statistics as he or she may be required to report by the County Commissioner, or by the State School Commissioner, and until such report shall have been prepared, sworn to and filed by said teacher as aforesaid, it shall not be lawful for said County Commissioner to audit the account of said teacher for his or her services.

No common school scholar prevented from entering upon merits of the common school fund.

Teachers must hold license.

Must make reports.

Until reports called for are made, teacher's account cannot be audited.

PART VII.

COUNTY INSTITUTES.

County institutes. Sec. 42. (An Act authorizing the State School Commissioner) to organize and establish in each county in Georgia a Teachers' County Institute for the assembling and instruction of the common school teachers of each county in the State, said institute to hold an annual session of one week's duration in each county of Georgia in the period of June, July, and August, or in such other month as the State School Commissioner may deem best and expedient; *provided, however*, that the State School Commissioner may, in his discretion, combine the annual session of said institutes, or any number of them, so that the same may be held in any county designated by him; to prepare a program of exercises, with a syllabus of each subject named in said program, for each day's session of said institute; to require County School Commissioners to operate, at their regular *per diem*, said institute, sessions under such general rules and regulations as he may deem best; to require all persons, white and colored, teaching in Georgia, or having licenses entitling them to teach in the State, provided that those not teaching have not permanently retired from teaching; to attend all sessions of said institutes held in the county of their residence, and perform all duties required of them as members of said institutes, unless providentially prevented; to secure a prompt attendance of the teachers upon the exercises of said institutes by causing the County School Commissioners and County Boards of Education to collect such fines from absentees as may be deemed Acts of 1891,
page 121.

Sessions.

Sessions may be combined.

Program.

Operation of, etc.

Attendance by teachers

Fines.

*Amended Acts of 1892,
page 85.*

*Amended Acts of 1893,
page 61.*

just and reasonable by said Commissioners and Boards; *provided*, that no teacher shall be fined till he or she has stated the cause of his or her absence, in writing, to said Commissioners and Boards, and they have duly considered the same; *provided further*, that all money thus collected shall be used in purchasing teachers' libraries for the counties in which said fines may be collected; to provide separate institutes for the white and the colored; to pay from the educational fund of each county an amount not to exceed twenty-five dollars per annum for the purpose of securing the services of an expert in conducting the week's session of the institute of said county, which expert shall be chosen by the County School Commissioner and County Board of Education, which expert shall assist in conducting the exercises of each annual week's session of said institute in the county where he is thus employed; to cause all sessions of said institutes to be held at county seats, or such other places as may be selected by the County School Commissioner, and allow all persons so desiring to attend the sessions of said institutes; *provided*, that all visitors shall be subject to the rules and regulations of said institutes while attending the exercises of the same; and to prescribe from time to time such other rules and regulations as he and the County School Commissioner may deem best for successfully operating said institute.

Separate Institutes for white and colored teachers.
Experts.
How chosen.
Sessions at county seat, etc.
Visitors.

PART VIII.

EXAMINATION OF APPLICANTS FOR
TEACHER'S LICENSE.

Examination of applicants for license to teach. Sec. 43. That the County Commissioners shall examine all applicants for licenses to teach in their respective counties, giving previous public notice of the day upon which the examinations are to take place, and said Commissioners shall be allowed to invite such persons as they may think proper to assist in these examinations. Applicants for license to teach in the common schools shall be examined upon orthography, reading, writing, English grammar, geography, arithmetic and the science and practice of teaching in common schools. No license shall be granted any person to teach in the public schools, receiving money from the State, after the first Monday in January, 1903, who has not passed a satisfactory examination in physiology, and hygiene (physiology, which shall include with other hygiene the nature and effect of alcoholic drinks with other narcotics upon the human system.) Said examinations shall be held throughout the State on a day or days to be fixed by the State School Commissioner, and by questions prepared and sent out by him to the County School Commissioners. The State School Commissioner shall also prepare and supply the County School Commissioner with printed instruction as to the grading applicants on and by a uniform grade, and shall fix the lowest standard for each class of licenses; no applicant for teacher's license shall be examined on any other day than

*Acts of 1887,
page 75.*

Upon what examined. *Amended Acts of 1890-91
page 118.*

S. S. C. prepares questions. *Acts of 1901,
page 54.*

the one designated as above described, except in cases where the County Board of Education shall order a special examination; no special examination shall be ordered by said Board except for good and sufficient reasons and to meet some special emergency. In such cases the questions shall be prepared by the County School Commissioner, or by some competent person under his authority, and their contents shall not be made known to the applicant or applicants until the examination actually commences; said examination shall be conducted under the same rules and regulations as are provided by law for other examinations, but the licenses granted shall be valid only until the next examination ordered by the State School Commissioner, and it shall not be lawful for the County School Commissioner of any county, other than that in which said special examination is held, to indorse a license granted thereunder. The County Board of Education shall have power, if they deem best, to employ teachers at a salary.

Special examination of applicants for positions as teachers.

Questions.

Rules for special examinations.

Licenses.

County Boards may employ teachers at a salary.

Sec. 44. It shall be the duty of the County School Commissioners, after thorough examination of the papers submitted by applicants for licenses as teachers, upon the examination conducted as prescribed in the preceding section, to grade the applicants according to the instructions furnished them by the State School Commissioner, submitting his report and recommendations thereon in writing to the County Board of Education, who shall grant to the applicants licenses of the first, second or third grade, to be determined by the qualifications exhibited and the standard attained; *provided*, they shall obtain at least the lowest grade-mark fixed by the State School Commissioner for each grade; *and provided further*, that each applicant submits with his or her examination paper satisfactory evidence

County School Commissioner grades papers and makes reports.

Report and recommendations submitted in writing to County Board of Education.

Board of Education.

Grades of licenses.

in writing of good moral character. A license of the first grade shall continue in force for three years, a license of the second grade for two years, and a license of the third grade for one year, which said licenses shall entitle teachers holding them to be employed for and during the period of their licenses in any of the common schools of the county where issued. Licenses, to be good in another county than the one in and for which they are issued, must be endorsed by the County School Commissioner of the county in which the applicant desires to teach.

**How made
good in
counties
other than
that in
which
issued.**

**Graduates
of colleges
required
to stand an
examina-
tion.**

All students or graduates of any school, college or other institution of learning shall be required to stand an examination as now prescribed by the general common school laws of this State before the County School Commissioner of each county in this State in which they desire to teach and get a license from the County School Commissioner before being permitted to teach in the common or public schools of such county; *provided*, that nothing herein contained shall be construed to invalidate any license to teach in the schools in this State now held by any person.

*Acts
of 1899
page 51.*

And all laws and parts of laws authorizing and entitling any student or graduate of any school, college or other institution of learning to teach in the common or public schools of this State on the certificate or diploma from any school, college or other institution of learning, or the officers thereof be, and the same are, hereby repealed.

**Permanent
State
license.**

Sec. 45. After passing upon the examination papers as hereinbefore provided, if, in the opinion of the County School Commissioner, any one or more of them exhibit unusual merit, he shall forward such papers to the State School Commissioner, together with his certificate of the good moral and professional character of the applicant, and if, in the opinion of

*Acts of
1887,
page 76.*

the State School Commissioner, said papers exhibit a sufficient degree of merit, he shall issue a permanent teacher's license to the applicant, which license shall be good in any county of this State, and which shall only be revocable by the State School Commissioner for good and sufficient cause.

Sec. 46. That the County Commissioner shall have power, and it shall be his duty, to revoke licenses granted by him, or his predecessors, for incompetency, immorality, cruelty to pupils, or neglect of his duties, and the revocation of the license of any teacher shall terminate the connection of said teacher with any school which he may have been employed to teach; but any teacher so dismissed shall have the right to appeal to the County Board of Education, whose decision shall be final.

Whoever, with intent to defraud the State or any county, town or city or any person, shall falsely and fraudulently make, forge, alter or counterfeit, or cause or procure to be falsely and fraudulently made, forged, altered or counterfeited, or willingly aid or assist in falsely and fraudulently making, forging, altering or counterfeiting any certificate or license issued by any County School Commissioner of this State or the executive officer of any local school board to a teacher, shall be deemed guilty of a felony, and upon conviction therefor shall be punished as prescribed by section 233 of the Penal Code.

Acts of
1887,
page 76.

Acts of
1900, page
69.

Revoca-
tions of
license.

Appeal.

To forge or
alter a
license is a
felony.

PART IX.

SCHOOL CENSUS.

Enumeration
of
school pop-
ulation

New enum-
eration
may be
ordered.

Estimate
from U. S.
census.

Enumera-
tors of the
school
census.

Their
duties.

Compensa-
tion.

Sec. 47. That it shall be the duty of the County and City Boards of Education of this State to cause an enumeration of the children between six and eighteen years of age to be made under instructions from the State School Commissioner, in the year 1888, and every ten years thereafter, as hereinafter prescribed. In the year 1893 and every ten years thereafter it shall be the duty of the State Board of Education, in the early part of the year, to have an estimate made from the last census taken by the authorities of the United States, of the number of children of school age in each county of the State, and in each town or city under a local school law, and if, from the evidence thus obtained, or from other evidence of any kind, the said Board shall become satisfied that a new enumeration of the school population ought to be taken for any county or counties, or for any town or city, or the entire State, it shall be their duty to order the said enumeration to be taken accordingly.

Acts of
1887,
page 81.

Sec. 48. The different County or City Boards shall employ one or more competent, reliable persons to take the enumeration above mentioned in their respective jurisdictions, and the person so employed shall go from house to house, making a thorough canvass of the territory assigned them, taking the number of children between the ages of six and eighteen years, and distinguishing between the sexes and races. The person thus employed shall

Acts of
1887,
page 81..

be known as enumerators of the school census, and shall take and report any additional statistics required by the State School Commissioner. They shall receive as compensation a *per diem* not to exceed two dollars in the counties, or two dollars in the cities, or in city and county where the same are under local laws, to be paid out of the school fund of the jurisdiction in which the work is done. They shall moreover, be required to make oath that the work done by them has been carefully and faithfully done according to the true intent and meaning of this Act, the form of oath to be prescribed by the State School Commissioner; *provided*, that nothing herein contained shall be construed to prevent the County Boards from employing the County School Commissioners to do the work contemplated in this section.

Oath.

County
School
Commis-
sioner may
be employ-
ed.

Sec. 49. The State Board of Education is hereby empowered to order at once a new enumeration when they are in doubt as to the accuracy of the return made from any county or city; but the enumerators first making their return shall receive no compensation in case it is found their enumeration was not correct. In case their enumeration is verified by the second enumeration, then both shall be paid, but the amount paid them shall be deducted from the school fund appropriated to this special territory.

State Board
can order a
new enum-
eration.

Pay for sec-
ond enum-
eration.

Sec. 50. The respective County or City Boards are hereby empowered to fix, within the limits prescribed above, the *per diem* compensation of the enumerators of the school census employed by them.

Compensa-
tion of enu-
merators.

(In section 35, page 25, will be found the following matter relating to school census:

"All children of school age resident in said county and attending the public schools of such town or city, shall be counted in the school population of such town or city, and be entitled to have their share of such county fund paid over to the proper officer of the school board of such town or city.")

PART X.

MISCELLANEOUS.

Admission to common schools—Manual labor schools
—Evening schools—Exemption of school property
from taxation—Forfeiture of school fund—Forfei-
ture in past years—Local school systems—Scholastic
month, number of days in.

Admission
gratuitous
to all chil-
dren of
school age.

Separate
schools for
white and
colored.

Pupils
crossing
sub-district
or county
line.

Teachers'
accounts
for line-
schools.

Manual la-
bor schools

Sec. 51. That admission to all common schools of this State shall be gratuitous to all the children between the ages of six and eighteen years residing in the subdistricts in which the schools are located; *provided*, that colored and white children shall not attend the same school; and no teacher receiving or teaching white and colored pupils in the same school shall be allowed any compensation at all out of the common school fund. In special cases, to meet the obvious demands of convenience, children residing in one subdistrict may, by express permission of the County Board, attend the common schools of another subdistrict; and when a common school is located near a county line, children from an adjoining county, in cases where convenience requires, may, by concurrent consent of the County Boards of the respective counties, be permitted to attend the school, and in such cases, the teacher shall make out two accounts for his services, one against each County Board, in amount proportioned to the number of children in the school from the respective counties.

Sec. 52. That the County Board of Education shall have power to organize in each county one or more

Acts of
1887,
page 78.

Acts of
1887,
page 78.

manual labor schools on such a plan as shall be self-sustaining; *provided*, that the plan be first submitted to and approved by the State Board of Education.

Acts of
1887,
page 78.

Sec. 53. That the Board of Education of any county shall have the power to establish, at such places as they may deem proper, within the limits of their jurisdiction, a suitable number of evening schools for the instruction of such youth over twelve years of age as are prevented by their daily avocations from attending day schools, subject to such regulations, not inconsistent with the provisions of this Act and the instructions issued under it by the State School Commissioner, as said Board, from time to time, may adopt for the government thereof.

Acts of
1887,
page 79.

Sec. 54. That whenever a County Board of Education, or Board of Education of any city, shall hereafter fail in any year to make arrangements to put schools in operation, said county, or city, as the case may be, shall forfeit all right to participation in the school fund of that year, unless the failure to arrange for schools was from providential cause, or other good and sufficient reason, the sufficiency of the reason to be judged of by the State Board of Education.

Acts of
1887,
page 79.

Sec. 55. That any county or city, which has failed to put schools in operation in any past year, and has never received its *pro rata* part of the State school fund for that year, shall still be entitled to receive through the properly constituted authorities of the county or city that *pro rata*; *provided*, that the County School Commissioner of such county shall receive no compensation from the school fund of said county for such year, except for services rendered in taking the enumeration of the school population.

Acts of
1887,
page 78.

Sec. 56. That each and every lot or parcel of land which has been or may be hereafter obtained by purchase, or in any other way, by any County Board of Education for the use of common schools, together

Forfeiture
of school
fund. How
relieved.

Forfeiture
in past
years.

Exemption
of school
property
from tax-
ation.

with any school building that may have been or shall be erected thereon, and all school furniture shall be exempt from all taxes, State and county, and from levy and sale under any execution or other writ or order in the nature of an execution; *provided*, that the lot of land so exempted shall not exceed four acres, and if there be any excess over that number of acres, then that portion, not to exceed four acres, most convenient for school purposes, shall be exempt as aforesaid, the exempted portion to be set off by order of the County Board.

Sec. 57. That from and after the passage of this Act, twenty school days shall constitute and be deemed and treated as a scholastic month in all the public schools of this State.

Sec. 58. That nothing in this Act shall be so construed as to prevent any city with a population greater than two thousand inhabitants, or any county or town under authority of the General Assembly of this State, from organizing a public school system independent of this system, or to prevent the said independent organization from drawing its *pro rata* share of all educational funds raised by the State; *provided*, the chief executive officer of such independent organization shall make the same regular reports to the State School Commissioner as are required from the County Commissioners by this Act; *provided further*, that nothing contained in this Act shall be construed to annul or repeal any local law now of force in any city or county in this State providing for the organization and maintenance of the common or public schools in such city or county.

Twenty
school days
a scholastic
month,

Local
school sys-
tems.

Acts of
1896.

Acts o
1887,
page 83.

PART XI.

GENERAL LAWS.

LOCAL TAXATION BY COUNTIES FOR
COMMON SCHOOLS.

An Act to provide for local taxation by counties for the support of common schools, and for other purposes.

Section 1. Be it enacted by the General Assembly of the State of Georgia, That from and after the passage of this Act a local tax to supplement the State tax in support of the common schools, may be levied and collected in any county in this State in which a county school system is not already in existence in the following manner, to wit:

Whenever two successive grand juries of the county shall recommend in their general presentations that a local tax in said county shall be levied to supplement the State tax in support of the common schools of the county, the Ordinary of said county shall order an election to be held, after giving public notice thereof once a week for four weeks, in the paper in which the sheriff's advertisements are published, and by posting the notice at the court-house door for at least four weeks previous to the time fixed for said election. Said election shall be held under the same rules and regulations as those governing the election of county officers, and all qualified voters of the county, and none others, shall be allowed to vote at the same. In said election the ballots shall have printed or writ-

Acts of
1890,
21.

Local tax
may be
levied.

Recom-
mendation
by grand
juries.

Election to
determine.

Rules for
election.

Ballots

Consolidation of votes.

Declaration of results.

Effect of election.

Amount of tax, etc.

Its collection, etc.

Use of funds.

General tax without further election. County where funds insufficient may have benefits of the Act.

ten upon them the words, "For Local Taxation for Public Schools," or "Against Local Taxation for Public Schools." The managers of the election shall consolidate the votes as now provided in elections for county officers, and shall then file the returns with the Ordinary, who shall declare the result. If two thirds of the persons qualified to vote at said election have voted for local taxation for public schools, the Ordinary shall certify the same in writing to the County Board of Education. The County Board of Education shall then, at a regular meeting, or at a special meeting, of which due notice has been given to each member, proceed by order or resolution to levy a tax not exceeding one fourth of one per cent. *ad valorem* upon all the taxable property of the county as shall appear by the county digest. The County School Commissioners shall make out a certified copy of the order or resolution, fixing the rate of said tax, and shall deliver the same to the Tax-Collector of the county on or before the first day of September in each year, and the Tax-Collector shall collect said school tax according to the vote so levied in the same manner as other county taxes are collected, and he shall promptly pay over the funds so arising to the County School Commissioner, who shall receive and hold the same subject to be applied by the County School Board of Education for the support of the common schools of the county in addition and supplementary to the funds received from the State, and said tax may be levied and collected from year to year, as above provided, without holding any other election for that purpose; *provided*, that any county in which a county school system is already in existence, but where the funds, as now provided by law, are insufficient, in the opinion of the County Board of Education, for the support of the schools,

may obtain the benefits of this Act by complying with all the provisions of the same.

Sec. 2. Be it likewise enacted, That if there shall be in the county an incorporated town, or town having a local school system of its own, sustained by local taxation, in addition to its quota of funds received from the State, the residents of said incorporated town or towns shall not vote in the election held as aforesaid, nor shall the taxable property embraced within the corporate limits of said town or towns be subject to the county school tax levied as aforesaid.

Towns with schools sustained by local taxation. not affected.

Sec. 3. Be it likewise enacted, That in determining whether two thirds of the qualified voters have voted for local taxation for common schools at the election held as aforesaid, the registration lists last completed before the election shall be considered the correct enumeration of the qualified voters in those counties having registration laws, and the number of names of citizens appearing upon the books of the Tax-Collector as having paid their poll or property tax, if any, for the preceding year, shall be considered the correct enumeration of the qualified voters in those counties not having registration laws.

Method of determining whether requisite majority obtained.

Sec. 4. Be it likewise enacted, That all laws and parts of laws in conflict with this Act are hereby repealed.

Approved September 16, 1891.

SETTING APART A DAY AS "ARBOR DAY."

An Act to encourage tree-planting, and to conserve the forests of the State by setting apart the first Friday in December as "Arbor Day," and for other purposes.

First
Tuesday in
December
"Arbor
Day."

Observ-
ance of.

Section 1. The General Assembly of the State of Georgia do enact, That the first Friday in December in each year shall be set apart and consecrated as a day for tree-planting, and shall be known throughout the State as "Arbor Day." Acts of 1890-91,
page 219.

Sec. 2. Be it further enacted, That it shall be the duty of the State School Commissioner to take the matter of the observance of "Arbor Day" by the public, under his general supervision, and through the County School Commissioners to cause the public schools of the State to observe "Arbor Day" as the superintendents and teachers may think best, in order to show the pupils the value and beauty of forestry by practical tree-planting on school, church, and other public lots, lawns, as well as on the public highways.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Approved December 16, 1890.

REGULATING SALARY OF COUNTY SCHOOL COMMISSIONER IN CERTAIN INSTANCES.

An Act to provide for the payment of a salary to County School Commissioners in lieu of a *per diem* in certain instances, and for other purposes.

Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act, County Boards of Education in counties having a population of more than sixty thousand inhabitants, shall be authorized and empowered to pay the County School Commissioners of such counties such salary in lieu of a *per diem*, as the said County Boards of Education shall fix, not to exceed the sum of eighteen hundred dollars per annum.

In counties of population of sixty thousand or more the Board of Education may pay the County School Commissioner a salary not to exceed eighteen hundred dollars per year.

Sec. 2. Be it likewise enacted by authority of the same, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

PHYSIOLOGY AND HYGIENE TO BE TAUGHT IN PUBLIC SCHOOLS.

An Act to provide for the teaching of physioloy and hygiene (physiology, which shall include with other hygiene the nature and effects of alcoholic drinks and other narcotics upon the human system) in the public schools in Georgia; to provide a penalty in case any Board of Education, in city or county, fails to provide for the teaching of the same, and requiring all teachers to stand a satisfactory examination upon said subject as for other subjects.

Public schools, effects of alcoholic drinks and narcotics, to be taught in. Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That the nature of alcoholic drinks and narcotics, and special instruction as to their effects upon the human system in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in common or public schools in the State of Georgia, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools.

Physiology and hygiene, how taught Sec. 2. It shall be the duty of county and city superintendents of schools receiving aid from the State to report to the State School Commissioner any failures or neglect on the part of the Boards of Education to make provision for instruction of all pupils in any or all of the schools under their jurisdiction, in physiology and hygiene (physiology, which shall include with other hygiene the nature and effects of alcoholic drinks and other narcotics upon the human system), and the Board of Education of each county of this

Acts of
1901, page
54.

State shall adopt proper rules to carry the provisions of this law into effect.

Sec. 3. No license shall be granted any person to teach in the public schools, receiving money from the State, after the first Monday in January, 1903, who has not passed a satisfactory examination in physiology, and hygiene (physiology, which shall include with other hygiene the nature and effect of alcoholic drinks with other narcotics upon the human system.)

Sec. 4. Be it further enacted, That all laws in conflict with this Act are hereby repealed.

Approved December 17, 1901.

Examina-
tions of
teachers.

Repealing
clause.

SCHOOL BOOKS—BOARDS OF EDUCATION MAY CONTRACT THEREFOR.

An Act to authorize county, city and town boards of education of the several counties, cities and towns, under proper rules and regulations, to prescribe and regulate the manner of making changes of books, and correct reports of the same to the State School Commissioner, and for other purposes.

Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That in order to prevent excessive rates of charges for school books that may be used in any of the common or public schools of the State, the county boards of education of the several counties in the State of Georgia shall be and they are, hereby authorized to purchase directly of the publishers such books as may be needed or adopted for said schools of their respective counties, and said board shall have authority to supply the same to the patrons and pupils of said schools at cost, or at such advance thereon as shall be sufficient to defray the expense of handling. Said board shall have power to contract with local merchants or others for the supply of said books, to be retailed at stipulated prices, and, if deemed necessary, they shall require such merchant, or other person so contracted with, to give bond in such sum as the board may determine to be necessary, in each instance, for the faithful performance of said contract.

Boards of
Education
may
handle.

Sec. 2. Be it further enacted by the authority aforesaid, That the several county boards that may purchase books as above provided, or such merchant or other person with whom they may contract for the purchase and retail sale thereof, may have authority

to repurchase such books from any child, its parent or guardian, who may desire to change his or her residence to a different county of this State, if thereby the said child should be required to procure other and different books, a proper percentage of deduction being made in each instance for wear and tear of books so repurchased.

Sec. 3. Be it further enacted by the authority aforesaid, That in cases where said boards of education shall purchase the books needed in said schools under their control, as herein provided for, they may rent the same to the pupils at such fees, or for such charges as they may deem just and proper, and the boards may make all proper rules to insure the payment of said fees and charges and proper care in the preservation of said books.

Sec. 4. Be it further enacted, That the several county boards of education shall file with the State Board of Education copies of all contracts for school books now existing, within thirty days from this Act; and copies of all future contracts for school books entered into by said county boards, shall likewise be filed with said State Board within ten days after the same have been entered into.

Sec. 5. Be it further enacted, That no county board of education shall be allowed to change or renew any contract for the supply of school books before the expiration of five years from the time that such a contract may be made, as above provided for, without first giving sixty days' notice of the intention so to change or renew said contract in one or more of the newspapers published in the county in which such change or renewal shall be made, and if no newspaper is published in said county, then by publishing said notice in the newspaper in which the advertisements of sheriff's sales for said county are published; sixty days' notice of such intended change or

Books may
be rented
to pupils.

Copies of
contracts
to be filed
with State
Board of
Education.

Notice re-
quired of
intention
to change
or renew.

renewal shall also be given by said county board to the publishers or dealers with whom the contract of the time thereof may be of force; and no county board shall make such change or renewal except on a vote of three fourths of its members present in session, should such change be desired at any time during the five years covered by original contract.

Sec. 6. [This section required county boards of education to make annual reports of the common school books, numbers, prices, etc. Repealed. See Acts 1900, page 65.]

Contracts
of cities or
towns.

Sec. 7. Be it further enacted, That the several boards of education of the cities and towns of the State, may, if they severally, or any of them, so desire, exercise any or all of the powers by this Act conferred upon the boards of education of the counties of the State; and in such event, the terms of this Act, so far as necessary to carry into effect the action of such city and town boards of education, are hereby made applicable.

Sec. 8. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Approved December 16, 1897.

PART XII.

LIST OF STATE EDUCATIONAL INSTITUTIONS.

| NAME. | LOCATION. | PRINCIPAL |
|------------------------------------|-----------------|-----------------------------|
| University of Georgia | Athens | Walter B. Hill, Chancellor. |
| Georgia School of Technology... | Atlanta | Lyman Hall, President. |
| Ga. Normal & Industrial College.. | Milledgeville.. | J. Harris Chappell, Pres. |
| State Normal School..... | Athens..... | E. C. Branson, President. |
| N. Georgia Agricultural College.. | Dahlonega | Joseph S. Stewart Pres. |
| Georgia School for the Deaf..... | Cave Spring... | W. O. Connor, Principal. |
| Georgia Academy for the Blind.. | Macon | Thos. U. Conner, Principal. |
| Ga. State Industrial College . . . | College | R. R. Wright, President. |

INDEX.

| | |
|--|-------------------|
| Appeal to County Board of Education..... | 25 |
| Appeals to State School Commissioner | 16 19 |
| Appeals to State Board of Education..... | 6 8 19 |
| Apportionment of School Fund | 22 23 25 26 |
| Arbor Day..... | 44 |
| Attorney-General, member of State Board of Education..... | 5 |
| Bible cannot be excluded from common schools..... | 17 |
| Books, Adoption of text-books..... | 16 |
| Books, Contracts for text-books..... | 48 |
| Census, School..... | 36 |
| Clerk of State School Commissioner..... | 5 10 |
| Clerk Superior Court certifies election of members County Board Education..... | 12 |
| Comptroller-General, member of State Board of Education..... | 5 |
| Contracts with teachers..... | 13 24 33 |
| County Board of Education | 11 19 33 |
| County Board of Education, a judicial tribunal..... | 16 24 |
| County Board of Education, members can administer oaths..... | 21 |
| County Institutes | 30 |
| County Line, pupils crossing | 38 |
| County School Commissioner, claims for services, how made and paid. | 20 |
| County School Commissioner, duties of | 19 22 23 32 33 35 |
| County School Commissioner, examination of, bond, oath..... | 18 |
| County School Commissioner, makes monthly report..... | 22 |
| County School Commissioner, office to be furnished..... | 20 |
| County School Commissioner, salary of in certain instances | 45 |
| Disbursement of School Fund..... | 23 |
| Examination of applicants for teacher's license..... | 32 |
| Exemption of school property from taxation..... | 39 |
| Expenses of Department of Education | 9 |

| | |
|---|----------------|
| Evening schools..... | 39 |
| General Assembly, may invest donations..... | 6 |
| General Assembly, may substitute other officers for State School Commissioner | 8 |
| Grand Jury, elects, recommends removal of, members of County Board of Education..... | 11 12 |
| Grand Jury receives report of County School Commissioner..... | 21 |
| Governor of State, issues warrants..... | 24 |
| Governor of State, member of State Board of Education..... | 5 |
| Itemized expense account of Department of Education..... | 10 |
| Itemized statements of County School Commissioners..... | 22 |
| Judges of Superior Court, removal and appointment of members of County Board of Education by..... | 12 |
| License, each teacher must hold | 29 34 |
| License, granted by Board of Education..... | 33 |
| License, counterfeiting, etc..... | 35 |
| License, how made good in other counties..... | 34 |
| License, revocation of | 35 |
| Local school systems..... | 25 24 40 43 50 |
| Local taxation by counties for common schools..... | 41 |
| Location of schools..... | 13 |
| Long term schools..... | 28 |
| Manual labor schools..... | 39 |
| Minutes open to inspection..... | 13 |
| Oaths can be administered by school officers..... | 21 |
| Ordinary, can approve accounts of members of County Board of Education for services..... | 12 |
| Physiology and Hygiene to be taught..... | 46 |
| Races taught separately..... | 16 31 38 |
| Reports of teachers..... | 29 |
| Reports of County School Commissioners..... | 21 22 33 |
| Report of State School Commissioner..... | 9 |
| Salary, County Boards may employ a teacher at | 24 33 |
| Salary of County School Commissioner in certain instances..... | 45 |
| Scholastic month, definition of | 40 |
| School census..... | 36 |
| School district, each county a..... | 11 |
| School property..... | 15 |

| | |
|--|---------------|
| School property, exemption from taxation..... | 39 |
| School Fund, estimate of for ensuing year..... | 24 25 |
| School Fund, sources of..... | 26 |
| School Fund, disbursement of..... | 23 |
| School Fund, forfeiture of..... | 39 |
| School Fund, proportion of each county, how determined..... | 22 |
| School Fund, tax money belonging to, to whom paid..... | 22 |
| School Fund, when not sufficient to pay indebtedness of any county.... | 23 |
| School Funds kept separate and used only for schools..... | 22 27 |
| School Grounds, four acres not taxed..... | 40 |
| School Term, length and time of public, regulated by County Board of Education..... | 16 24 |
| School year coincident with calendar year..... | 23 |
| Secretary of State, member of State Board of Education..... | 5 |
| Special examination of applicants for teachers' license..... | 33 |
| State Board of Education, members, officers, meetings..... | 5 |
| State Educational institutions, list of..... | 51 |
| State (Permanent) license, how issued..... | 34 |
| State School Commissioner, how chosen, duties of..... | 8 32 24 42 35 |
| Subdistrict or county line, pupils crossing..... | 13 38 19 |
| Suits to be instituted by State School Commissioner..... | 9 |
| Tax Collectors, report school funds separately | 27 |
| Teachers employed by Boards of Education..... | 13 24 33 |
| Teachers pay, when due..... | 23 |
| Teachers, reports of..... | 29 |
| Text Books, contracts for..... | 48 |
| Trustees of common schools..... | 14 |

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